

April 19, 2006



U.S. Department
of Transportation

400 Seventh Street, S.W.
Washington, D.C. 20590

**Pipeline and
Hazardous Materials
Safety Administration**

DOT-SP 14344

EXPIRATION DATE: May 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Environmental Protection Agency (EPA) and contractors conducting operations under the direction of EPA government officials.
2. PURPOSE AND LIMITATION:
 - a. This emergency special permit authorizes the one-way transportation in commerce of solid materials contaminated with or suspected to be contaminated with anthrax bacteria or spores, in a non-DOT specification packaging consisting of a bulk outer packaging and non-bulk inner packagings conforming to the provisions of this special permit for disposal. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
 - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.101 Table Column 8C in that bulk size outer packagings are not authorized for infectious substances, affecting humans, except as specified herein.

April 19, 2006

5. BASIS: This special permit is based on the April 11, 2006 application from the Environmental Protection Agency, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant injury to persons or property.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Infectious substances, affecting humans (anthrax - contaminated solid material) See Note	6.2	UN2814	N/A

Note: The infectious substances authorized under this special permit are limited to solid materials that have been or are suspected to have been contaminated with anthrax bacteria or spores and have undergone gross decontamination procedures using HEPA vacuums, but may still pose a hazard.

7. SAFETY CONTROL MEASURES:

a. LIMITATIONS ON SOLID MATERIALS THAT HAVE POTENTIALLY BEEN CONTAMINATED WITH ANTHRAX:

(1) This special permit authorizes the transportation in commerce of solid materials that have been contaminated with or are suspected to have been contaminated with anthrax in a packaging system which consists of a bulk outer packaging - double walled corrugated container (box) - used exclusively for solid materials contaminated with or suspected to be contaminated with anthrax bacteria or spores, and non-bulk inner packagings. The inner packagings must be double plastic film bags conforming to paragraph 7.b.(2) of this special permit.

(2) Inner packagings must be placed into the box in such a manner as to minimize the risk of breakage.

b. PACKAGING: The packaging system must conform to the following:

(1) Bulk Outer Packaging - is a double walled corrugated container (Gaylord container box). The box is approximately 36 inches X 36 inches X 36 inches (27

April 19, 2006

cubic feet) mounted by screws to a wooden pallet. The box top is sealed with tape.

(2) Inner Packaging:

(i) The plastic film bags used under this special permit must have a minimum film thickness of at least 4 mils (0.004 inch).

(ii) The inner packaging must be closed with a minimum of entrapped air and sealed securely by taping or tying the plastic to prevent the release of any material from the bag when inverted.

c. OPERATIONAL CONTROLS:

(1) A current copy of this special permit must be available at each location where the material is offered for transportation.

(2) Prior to placement of the solid material in the inner packaging the material must be cleaned by gross decontamination procedures using HEPA vacuums.

(3) After the inner packaging is sealed, the exterior surface of the inner packaging must be treated with a disinfectant that is recommended by the Centers for Disease Control and Prevention for use as a disinfectant for anthrax bacteria and spores.

(4) Prior to loading into the box, the inner packaging must be placed into a second plastic bag as specified in paragraphs 7.b.(2)(i) and (ii) above. After the second plastic bag is sealed, the exterior surface must be treated with the disinfectant.

(5) The box must be closed except when inner packagings of the material authorized by this special permit are being loaded into the box.

(6) Before loading the box into a transport vehicle, the grantee must assure that the box is closed and sealed to prevent the release of any material during transportation.

April 19, 2006

(7) The doors on the motor vehicle being used to transport the material authorized by this special permit must be must be closed and locked except when a box is being loaded or unloaded into the vehicle.

(8) Prior to transportation, the carrier must perform an external visual inspection of the transport vehicle to determine that it is closed and free of leakage.

(9) The carrier may only transport the vehicle loaded with the material to a final destination that is authorized by applicable laws for storage, treatment or disposal of such materials, without unnecessary delay from the time the carrier's motor vehicle leaves the grantee's premises.

(10) The carrier must have a written spill response plan that includes provisions for the decontamination of spilled materials and for personal protective equipment to be carried on the vehicle and used to protect its employees from contact with infectious materials in any form.

(11) The carrier must respond to any release or suspected release from a box that occurs during transportation. The response must include complete removal of any spilled material and decontamination of the release site, vehicle surfaces and external surfaces of the box involved.

(12) Each motor vehicle must be decontaminated after each delivery of solid materials that have been contaminated with or are suspected to have been contaminated with anthrax bacteria or spores.

8. SPECIAL PROVISIONS:

a. The outside of each motor vehicle must be plainly and durably marked "DOT-SP 14344" and with identification numbers in the manner specified for a bulk packaging in §§ 172.302(b), (c) and 172.331.

b. In addition to marking the required identification number on the motor vehicle as specified in § 172.332, each

April 19, 2006

side and each end must be marked "BIOHAZARD" in letters at least two inches high on a contrasting background.

c. Carrier transportation must be by Freehold Cartage, Inc. of Freehold, NJ. The motor vehicle owned and operated by Freehold Cartage, must be in dedicated service in exclusive use of EPA for the transportation of the materials and packaging specified in this special permit. No other loadings or packages may be transported on the vehicle with these materials.

d. Only two one-way motor vehicle shipments are authorized under this special permit from New York City, NY to the Stericycle incineration facility in Apoka, FL with an intermediate stop at the BioMed Waste Company facility in Lauderdale Lakes, Florida.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each motor vehicle used to transport packages covered by this special permit.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
 - o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- 'The Hazardous Materials Safety and Security Reauthorization Act of 2005' (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term 'exemption' to 'special permit' and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety -- OHMSPA, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: RP